



POLICY: Refund Policy	NO. OF PAGES: 2
SECTION: Administrative Penalty System for Non-Parking Offences	REVISED:
EFFECTIVE DATE: Mar 25, 2024	

Policy Statement

The Town of Milton has adopted an Administrative Penalty System (APS) for the dispute resolution and administration of parking and non-parking by-law offences within the Town of Milton.

The Town has authorized the appointment and use of Screening Officers and a Hearing Officer to adjudicate disputes related to Penalty Notices issued for non-compliance of municipal by-laws.

In accordance with Ontario regulation 333/07, the Town is required to develop a policy to address public complaints regarding the administration of the APS program. The same policies will apply to the APS Non-Parking program.

Purpose

To provide a standardized guideline to define what constitutes reasonable incidents that would precipitate a refund of an administrative penalty.

Scope

The individual has an obligation to either pay the prescribed administrative penalty, or request a review of the penalty within 15 days of the date of the Penalty Notice. Circumstances may arise where a payment of an administrative penalty may need to be refunded to the person who made the payment.

The authority to authorize a refund will rest with the Director of Legislative Legal and Services or designate.

Situations that could constitute a valid reason for a refund would include but not limited to:

- Double payment: the penalty has been attempted to be paid twice. This could occur in situations where a person pays the penalty and for whatever reason the penalty is attempted to be paid again. Examples of this may include:
 - A person forgets that payment was made and attempts to pay again,
 - A technological issue where the payment confirmation is not received leading to the penalty attempting to being paid again.
- Over payment or payment error: the person pays more than the allotted penalty, requiring the excess to be refunded;
- Penalty Notice Error: the penalty notice was issued in error and the payment was made prior to the notice being cancelled. Examples of this include:
 - A fatal error on the face of the ticket including, wrong person charged, offence date; location; or listed offence.
 - A notice issued in error including situations where an offence was not committed.
 - A group of notices being cancelled due to unforeseen circumstances.

The APS program staff will complete Payment Request Form, including special instructions to notify Legislative and Legal Services once the cheque refund has been issued. The request will be forwarded to the Director of Legal and Legislative Services or designate for approval. Once the approver is satisfied that a refund is required, the request along with the supporting documentation will be forwarded to Accounts Payable Department for processing.

APS program staff will ensure that the payment reduction or refund is properly corrected in the software system.

Unless outlined in this policy, no refund shall be contrary to an amount stipulated in a decision from the Screening or Hearing Officers.